

REMARKS/ARGUMENTS

This paper is submitted responsive to the Official Action mailed May 11, 2005. Reconsideration of the application in light of the accompanying remarks and amendments is respectfully requested.

In the aforesaid action, the Examiner objected to the drawings, allowed claims 1-11, and rejected claims 12-14 over prior art. The examiner also pointed out an error in dependency in connection with claim 13.

By the present amendment, it is submitted that each of the Examiner's concerns has been addressed, and that the application is in condition for allowance.

In connection with the object to the drawings, drawing corrections have been submitted which add reference numeral 21 to Figure 1. No new matter has been added and this is believed to resolve this issue.

In connection with the rejection of claim 13 under 35 USC 112, the Examiner was correct, dependency from claim 12 was intended and the present amendment reflects the correct claim dependency.

In the preparation of this paper, errors were also discovered in paragraphs 3 and 9 of the application, and these errors are corrected herein. No new matter has been added.

Finally, in connection with the prior art, the allowance of claims 1-11 is acknowledged. In connection with claims 12-14, these claims have been amended to more clearly point out a significant difference between the applied prior art and the

present invention. The applied prior art teaches a method for artificially stimulating the refrigerant circuit to rapidly cool a refrigerated space. The present invention is drawn to a very different situation, wherein a small cooling requirement could conventionally result in oil logging. Under such circumstances, a heater is used to apply heat to the refrigerated space in order to balance an increased load operation of the compressor, thereby maintaining substantially continuous operation of the compressor even at the low load. This is particularly advantageous in connection with areas of use such as that discussed in paragraph 2 of the specification.

The important contrast is in connection with the prior art which stimulates rapid cooling of a refrigerated space, as compared to the present invention which allows for continuous operation of the compressor at low load conditions by counter balancing some of the extra cooling being delivered to the refrigerated space. Claims 12 and 14 have been amended to more clearly recite this clearly different subject matter, and these claims are submitted to be allowable over the art of record. New claim 15 has been added and is drawn to similar subject matter believed to be allowable over the art of record.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview

would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

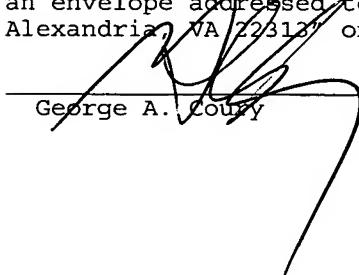
Respectfully submitted,
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By


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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on August 11, 2005.


George A. Coury



Annotated Sheet

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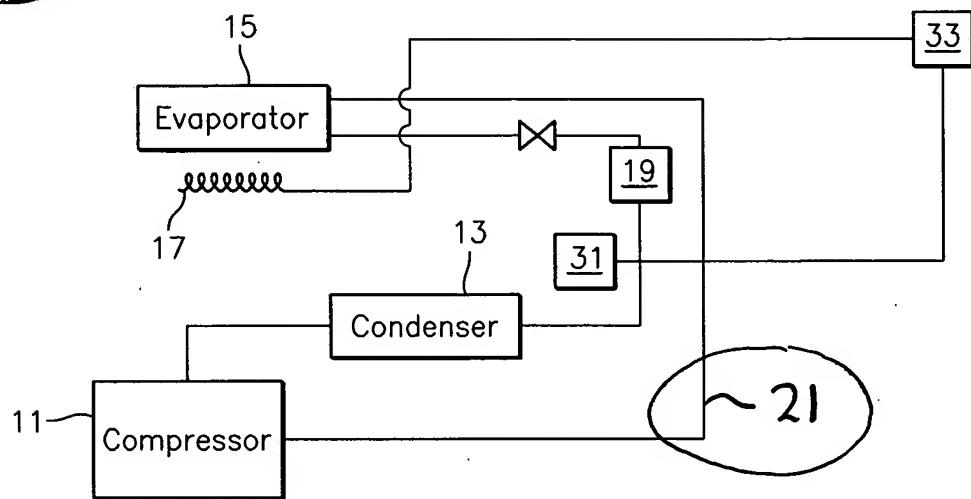


FIG. 1

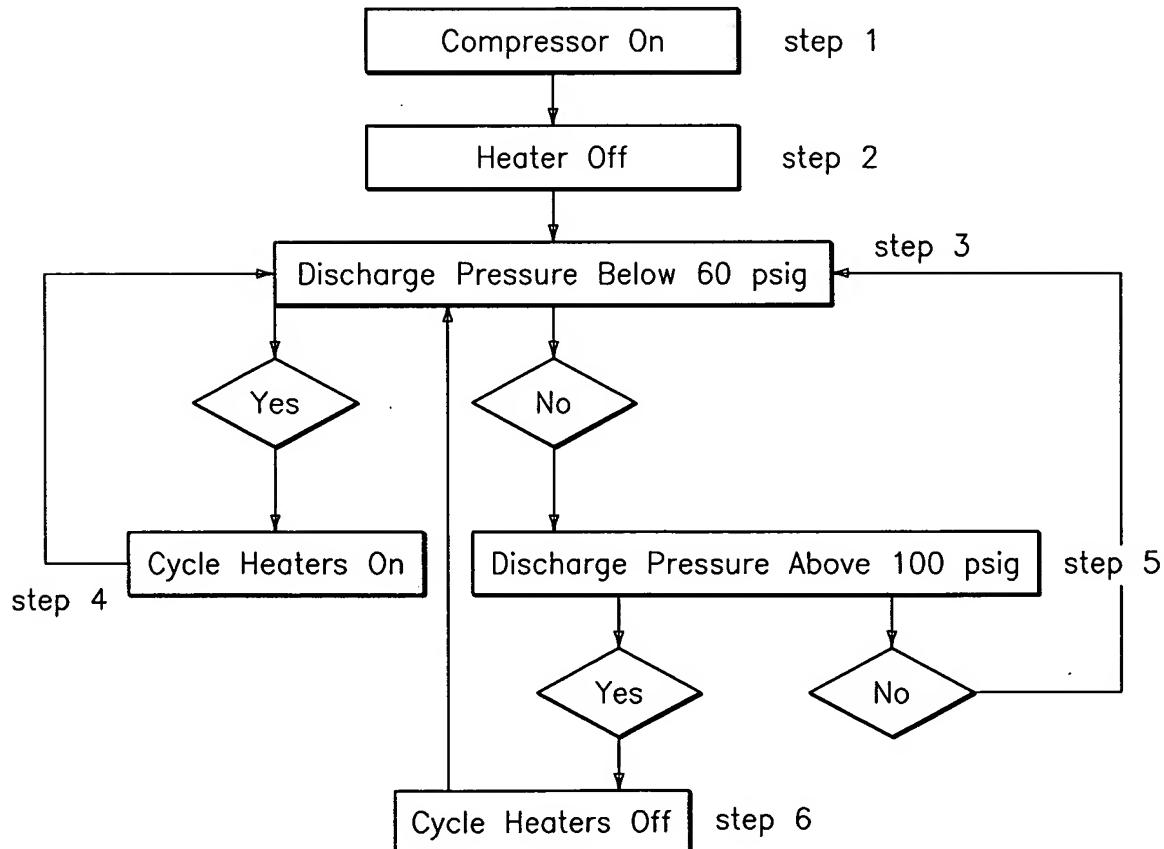


FIG. 2